

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

YAN FANG DU, Individually and as
Assignee of JOON HAK KIM,

Case No. CV 08 06301 GW (PJWx)

Plaintiffs,

SECOND AMENDED JUDGMENT

V.

ALLSTATE INSURANCE
COMPANY, DEERBROOK
INSURANCE COMPANY, a
subsidiary of ALLSTATE
INSURANCE COMPANY and DOES
1 through 100, Inclusive.

Hon. George H. Wu

Trial Date: August 3, 2006
Time: 9:00 a.m.
Courtroom: 10

Defendants.

Complaint Filed: September 15, 2008

This action came on regularly for trial on August 3, 2010, in Courtroom 10 of the United States District Court for the Central District of California, the Honorable George H. Wu presiding. Matthew Biren and Sarina Hinson appeared on behalf of Plaintiff Yan Fang Du, as assignee of Joon Hak Kim. Peter H. Klee and Charles Danaher appeared on behalf of Defendant Deerbrook Insurance Company.

111

A jury of eight persons was impaneled and sworn. Witnesses were sworn and testified. After hearing the evidence and arguments of the attorneys, and being instructed by the Court, the jury retired to consider its verdict.

On August 10, 2010, the jury answered the Special Verdict form as follows:

We answer the questions submitted to us as follows:

1. Did Deerbrook unreasonably or without proper cause, fail to accept a reasonable settlement demand for an amount within the policy limits?

Yes X No

2. Did Du, individually, make a demand to settle her personal injury claim against Kim for \$100,000 or less?

Yes X No

3. Did Deerbrook have a reasonable opportunity to comply with the terms and conditions of Du's settlement demand?

Yes X No

JUDGMENT

Based on the jury's verdict, IT IS HEREBY ORDERED, ADJUDGED AND
DECREED that:

1. Judgment be entered in favor of Defendant Deerbrook Insurance Company and against Plaintiff Yan Fang Du;

2. Plaintiff Yan Fang Du take nothing by way of her Complaint against Deerbrook Insurance Company.

COSTS

Deerbrook Insurance Company is the prevailing party under Federal Rule of Civil Procedure 54(d)(1), and may pursue recovery of its costs incurred in this action in accordance with said Rule and the Local Rules of this Court.

Pursuant to the Clerk of the Court's September 9, 2010 order (Docket No. 186), it IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff Yan Fang Du shall pay Deerbrook Insurance Company its reasonable costs of suit in the amount of \$15,262.10.

IT IS SO ORDERED.

DATED: October 7, 2010

George K. W.

Hon. George H. Wu
United States District Court Judge